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## Remarks

The paragraphs of the Office action are responded to through the corresponding numbered paragraphs below. The applicant has addressed each issue in turn and, for clarity, has provided a heading for each issue.

### *Response to Amendment*

1. The Examiner indicated that this "office action is responsive to the amendment filed on 5/20/2003. Claims 41 and 44-104 have been amended. Claims 105-131 have been canceled. Therefore, pending claims 41-104 are presented for further examination." The applicant appreciates the entry of the applicant's previous response and believes that no response is required for this paragraph.

### *Claim Rejections – 35 USC § 102*

2. The Examiner provided the citation to 35 U.S.C. § 102 "that form the basis for the rejections under this section made in this Office action." The applicant believes that no specific response is required for this paragraph.

3. The Examiner rejected claims "79-81, 84-88 and 91-92 under 35 U.S.C. § 102(e), as being anticipated by Dillon, U.S. Pat. No. 5,995,726." The applicant has requested that claim 79 (on which claims 80-85 depend) and claim 86 (on which claims 87-92 depend), be amended to more clearly point out specific steps or instructions employed in the claimed invention, including setting up RAM adapters; establishing a timestamp for a received packet; testing whether said received packet is a package delivery or an Internet delivery; if said received packet is a package delivery, testing to determine if said packet will update a catalog, testing to determine if a site will be updated by said packet; determining whether an end-of-file has been encountered; determining if a file within said packet is incomplete; and if said file is not incomplete marking said file as complete. The applicant has reviewed the cited reference and believes that the cited reference neither describes nor even suggests the invention as presently claimed in these claims. Therefore, the applicant respectfully requests reconsideration and withdrawal of this rejection.

### *Claim Rejections – 35 USC § 103*

4. The Examiner provided the citation to 35 U.S.C. § 103(a) "which forms the basis for all obviousness rejections set forth in this Office action." The applicant believes that no specific response is required for this paragraph.

The Examiner also reminded the applicant of the applicant's obligation to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made. The applicant believes all claims are and were commonly owned by assignment to Helius, Inc.

5. The Examiner rejected claims "41-78, 82-83, 89-90 and 93-104 under 35 U.S.C. § 103(a) as being unpatentable over Dillon, U.S. Pat. No. 5,995,726 in view of Davis et al. (Hereafter, Davis), U.S. Pat. No. 5,742,829. The applicant has requested that claim 41 (on which claims 42-50 depend), claim 51 (on which claims 52-60 depend), claim 61 (on which claims 62-69 depend); claim 70 (on which claims 71-78 depend); claim 79 (on which claims 80-85 depend); and claim 86 (on which claims 87-92 depend); claim 93 (on which claims 94-98 depend); and claim 99 (on which claims 100-104 depend), be amended to more clearly point out specific steps or instructions employed in the claimed invention, including setting up RAM adapters; establishing a timestamp for a received packet; testing whether said received packet is a package delivery or an Internet delivery; if said received packet is a package delivery, testing to determine if said packet will update a catalog, testing to determine if a site will be updated by said packet; determining whether an end-of-file has been encountered; determining if a file within said packet is incomplete; and if said file is not incomplete marking said file as complete. The applicant has reviewed the cited references and believes that the cited references neither describe nor even suggest combination comprising the invention as presently claimed in these claims. Therefore, the applicant respectfully requests reconsideration and withdrawal of this rejection.

6. The Examiner noted that the "applicant's arguments with respect to claims 41-104 have been considered but are moot in view of the new ground(s) of rejection." The applicant appreciates the Examiner's consideration and believes that no specific response to this paragraph is required.

#### *Conclusion*

7. The Examiner indicated that this action is made final. The applicant is responding to this "final Office action" with a Request for Continued Examination and fees. The applicant believes that this response is fully responsive to this Final action and respectfully requests continued examination.

The Examiner indicated that a shortened statutory period for response is set and that extensions may be obtained under the provisions of 37 CFR 1.136(a). The applicant is submitted a petition for extension of time and fee for an extension of time under the provisions of 37 CFR 1.136(a). The applicant believes that this submission, being made,

within the permitted extension period is fully responsive and permits this application to continue prosecution.

8. The Examiner provided information concerning communication on this application. The applicant appreciates the Examiner's willingness to communicate and assist on this case.

The applicant has requested that claims 41, 51, 61, 70, 79, 86, 93 and 99 be amended as described. Since the other rejected claims depend on these amended claims, applicant believes that all issues and points of the Examiner's Office action have been addressed. Applicant believes that claims 41-104 are patentable over all known prior art. Applicant respectfully requests reconsideration and allowance of this application.

Respectfully submitted this 12th day of February, 2004.



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